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**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

TYLER MILLER, an individual,

PLAINTIFF,

v.

STEVE WATSON, an individual,
JEFFREY DICKERSON, an individual,
STEVE SALLE, an individual, **JOHN
DOE DEFENDANTS 1-5, ATKIN BLITZ**,
an individual, and **BULLARD LAW, P.C.**,
an Oregon professional corporation,

DEFENDANTS.

Case No.

COMPLAINT

JURY TRIAL REQUESTED

Plaintiff Tyler Miller ("Plaintiff" or "Miller") alleges as follows:

INTRODUCTORY STATEMENT

Public service is a cornerstone of Tyler Miller's life. While building a successful software company, Mr. Miller has always devoted a significant portion of his time, effort and resources to public service, particularly in the areas of emergency services, radio communications, police, and rescue work in Northwest Oregon. In the course of his volunteerism, Mr. Miller became aware of serious system deficiencies and dead zones within the

emergency communications system in Columbia County, and worked closely the Columbia 911 Communications District (“C911CD”) to address those problems. When it appeared that a solution to the problems required both technical expertise as well as political will, Mr. Miller decided to run for a position on C911CD in order to make a difference.

Between December 2016 and February 2017, Mr. Miller also learned of and reported inappropriate (sexually hostile and abusive) behavior by Defendant Steve Watson – the then Executive Director of C911CD. While Defendant Watson was compelled to admit to his actions and resigned from his position on C911CD, Watson together with Defendant Jeffrey Dickerson, Defendant Steve Salle and Doe Defendants, including members of C911CD’s Board of Directors, conspired to defame and drive Mr. Miller out of the community through a campaign of half-truths, misleading statements, and outright lies, many of which were disseminated directly or indirectly through the Internet.

As part of their plan, Defendants retained Defendant Bullard Law, P.C. (“Bullard”), and one of its principals Defendant Atkin Blitz, to “investigate” Mr. Miller. Defendants then strategically timed a media release of Defendant Blitz’s completely biased “investigation report” and the fact that the matter was the subject of an investigation by the Oregon State Police for possible criminal charges, just before the mailing of election ballots for the May 2017 election to C911CD’s Board of Directors. While no criminal charges were brought on account of the biased “investigation report”, the damage was done, both in the short-term with the election, but also prospectively as Defendants created a disparaging and enduring legacy of taint and falsehoods that persists through today and into the foreseeable future.

Mr. Miller seeks to clear his good name. Yet, more than ever he remains committed to public service, which has broadened to include the rooting out of wrongdoing and governmental

malfeasance by exposing facts (and falsehoods), and the clever subtle means by which “insiders” are able to distort the truth thereby undermining fair governance.

JURISDICTION AND VENUE

1.

This Court has subject matter jurisdiction under 42 U.S.C. § 1983 and 28 U.S.C. §§ 1331, 1343 and 1367. Venue in this judicial district is proper pursuant to 28 U.S.C. § 1391.

PARTIES

2.

At all material times, Plaintiff was and is a citizen of the United States and a resident of Oregon over the age of 18 years. Plaintiff underwent extensive training in order to serve as a reserve deputy for nearly six years, averaging 50-100 volunteer hours per month. In the course of that work, he earned solo status, and was awarded a medal of valor and distinguished service. Plaintiff additionally bought equipment out of his own personal funds to maintain every law enforcement agency’s radio in Columbia County. He additionally volunteered thousands of hours to maintain County computers and other technology equipment, saving the Sheriff’s office and other agencies hundreds of thousands of dollars.

3.

At all material times, Defendant Watson was a governmental official, who is being sued in his official and personal capacities. At all material times, Defendant Dickerson was a governmental official, who is being sued in his official and personal capacities. At all material times, Defendant Salle was a governmental official, who is being sued in his official and personal capacities. Upon information and belief, Defendants John Does 1-5 are individuals who have acted in concert with Defendants Watson, Dickerson and / or Salle, both in official and

personal capacities, to take the actions alleged below. Upon information and belief, Defendants Atkin Blitz and Bullard are legal counsel that conspired with Defendants Watson, Dickerson, Salle and/or the Doe Defendants.

FIRST CLAIM
(42 U.S.C. §1983: Denial of Property Interests)
(Against Defendants Watson, Dickerson, Salle and Doe Defendants)

4.

Plaintiff realleges the allegations of paragraphs 1 - 3.

5.

At all material times, Plaintiff had liberty and property interests protected by the due process clause of the Fourteenth Amendment of the United States Constitution to be free from false charges made under color of law which involved or implied personal and professional dishonesty, immorality or malfeasance, which adversely reflected on and damaged his standing and ability to serve his community.

6.

Defendants Watson, Dickerson, Salle and John Does 1-5, have acted under color of state law to deprive Plaintiff of his federal civil and constitutional rights. Specifically, because Plaintiff raised questions and reports of governmental wrongdoing, Defendants Watson, Dickerson, Salle and Does used their governmental authority and contrived a complaint and sham “investigation” so that they could malign Plaintiff’s reputation, with the result of tainting Plaintiff’s record of voluntary service, ultimately resulting in his inability to provide public service as a reserve deputy sheriff. At all times, Plaintiff has been deprived any opportunity for a “name-clearing”.

/ / /

7.

Because of concerns about Defendant Watson, and the abusive and hostile work environment he created, Plaintiff exercised his right of free speech under the First Amendment of the United States Constitution by reporting and / or complaining about what he believed in good faith were irregularities by Defendant Watson and the manner in which he ran his office. In response, Defendant Watson conspired with Defendants Dickerson, Salle, Doe Defendants and with Defendants Blitz and Bullard law to retaliate against Plaintiff through a campaign of harassment, including the release of false and defamatory reports to the media injuring his reputation in the community, culminating in Plaintiff's suspension and the ultimate denial of his ability to serve the public as a reserve deputy sheriff where he received great satisfaction in providing service to the public and his fellow public safety officers.

8.

As a direct result of Defendants Watson, Dickerson, Salle and Does discrimination and violation of Plaintiff's First Amendment interests, Plaintiff has suffered adverse sanctions interfering with his ability to provide public service and to serve on the Board of C911CD. Under color of state law, Defendants Watson, Dickerson, Salle and Does violated Plaintiff's procedural due process rights to have a hearing at a meaningful time, deprived his liberty interest in his reputation and his work as a reserve deputy sheriff without due process, and deprived his property interest without due process.

9.

As a direct result of Defendants Watson, Dickerson, Salle and Does' actions, Plaintiff has been publically attacked, suffered damage to his standing and associations in his home

community, suffered the loss of other service and economic business opportunities by the wrongful stigma imposed upon him - all without the benefit of any name clearing hearing.

10.

As a further direct result of Defendants' actions, Plaintiff has suffered damage to his liberty and property rights, lost income, and lost future earnings, all to his economic damages in a sum to be determined at trial, which he seeks, together with an award of pre-judgment interest.

11.

As a direct result of Defendants' actions, Plaintiff also has suffered compensatory damages for pain, suffering, inconvenience and mental anguish. Plaintiff has been wrongly subjected to public condemnation and ridicule since May 2017. Defendants have directly and proximately caused the broadcast of false and misleading assertions against Plaintiff throughout the State through intentionally or recklessly skewed releases of information to the media and others, resulting in disparagement and ridicule.

12.

As a direct result of Defendants Watson, Dickerson, Salle and Does' misconduct in seeking to destroy Plaintiff's good reputation in the Northwest Oregon community after years of good deeds and works, and in causing stress and psychic harm to Plaintiff, Plaintiff seeks non-economic damages from Defendants Watson and Does, and each of them, in a sum to be determined at trial.

13.

Defendants' misconduct was malicious and wanton in the extreme justifying an award of punitive damages in a sum to be determined at trial, which Plaintiff would intend to use for public works improvements for the betterment of the communities in Northwest Oregon.

14.

Plaintiff additionally requests an award of his reasonable attorney fees and costs pursuant to 42 U.S.C. §1988.

15.

Plaintiff timely filed a tort claims notice and timely commenced this action.

SECOND CLAIM
(Whistleblowing)
(Against Defendants Watson and Doe Defendants)

16.

Plaintiff realleges and incorporates paragraphs 1-15.

17.

Plaintiff reported in good faith what he reasonably believed to be Defendant Watson's mismanagement and/or abuse of authority regarding actual or potential improprieties in the performance of Defendants' duties and / or a violation(s) of federal and/or state laws, rules or regulations.

18.

Defendants Watson and Does retaliated against Plaintiff for his engaging in whistleblowing activity.

19.

Plaintiff is entitled to an award of damages, together with an award of his reasonable attorneys' and expert witness fees.

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THIRD CLAIM
(Intentional / Reckless Infliction of Severe Emotional Distress)
(Against All Defendants)

20.

Plaintiff realleges and incorporates paragraphs 1-19.

21.

Defendants engaged in outrageous conduct that was intended to inflict severe emotional distress on Plaintiff, and / or was committed with knowledge that it was substantially certain would result in severe emotional distress to Plaintiff. Alternatively, Defendants acted in deliberate disregard that their misconduct would cause Plaintiff to suffer severe emotional distress.

22.

Defendants' conduct was an extraordinary transgression of socially intolerable behavior.

23.

Defendants' conduct caused Plaintiff to suffer severe emotional distress.

FOURTH CLAIM
(Defamation)
(Against All Defendants)

24.

Plaintiff realleges and incorporates paragraphs 1-23.

25.

Plaintiff was not a public figure. He was a private citizen attempting to run for his first public office, and make a difference in an area of his expertise, technology. Defendants have defamed Plaintiff by maliciously publishing a false report, and by creating a false impression that

Plaintiff had committed a crime which needed to be criminally investigated, exposing Plaintiff to contempt and ridicule in his home community and elsewhere.

26.

As a direct result of Defendants' acts, Plaintiff has suffered damages due to defamation in an amount to be determined at trial.

* * *

WHEREFORE, Plaintiff requests judgment in his favor and against Defendants, and each of them, as alleged in the claims stated above.

JURY DEMAND

Plaintiff hereby demands a trial by jury of all issues so triable pursuant to Rule 38 of the Federal Rules of Civil Procedure.

DATED this 2nd day of April, 2018.

ELLIOTT, OSTRANDER & PRESTON, P. C.

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